Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-19, 27, and 35-41 are pending in the application, with 1, 9, 10, 11, 35, 36, and 41 being the independent claims. Claims 9, 10, 19, 27, and 35 have been withdrawn from consideration. New claims 36-41 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

Claims 1-8 and 11-18 were rejected under 35 U.S.C. §102(e) as being anticipated by Hosken, U.S. Patent No. 6,438,579 (Hosken Non-provisional). Applicants respectfully traverse this rejection.

Applicants' specification claims the benefit of U.S. Provisional Application No. 60/213,528, entitled "High performance model-based personalization," filed on June 23, 2000 (Applicants' provisional). Applicants submit that claims 1-8 and 11-18 are fully supported under 35 U.S.C. §112, first paragraph, by Applicants' provisional. Therefore, the effective filing date for claims 1-8 and 11-18 is the filing date of the provisional, June 23, 2000.

The filing date of the Hosken non-provisional is July 14, 2000, after the effective filing date for claims 1-8 and 11-18. However, the Hosken non-provisional claims

benefit of provisional application no. 60/144,377, filed July 16, 1999, prior to Applicants'

effective filing date. As set forth in the MPEP:

> For reference publications and patents of patent applications filed under 35
> U.S.C. 111(a), the prior art dates under 35 U.S.C. 102(e) accorded to these
> references are the earliest effective U.S. filing dates. Thus, a publication
> and patent of a 35 U.S.C. 111(a) application, which claims priority under
> 35 U.S.C. 119(e) to a prior U.S. provisional application or claims the
> benefit under 35 U.S.C. 120 of a prior non-provisional application, would
> be accorded the earlier filing date as its prior art date under 35 U.S.C.
> 102(e), *assuming the earlier-filed application has proper support for the*
> *subject matter as required by 35 U.S.C. 119(e) or 120.*

See MPEP 706.02(f)(1) (emphasis added). Thus, the Examiner can only rely on subject

matter in the Hosken non-provisional that finds adequate support in the Hosken

provisional.

Applicants submit that subject matter in the Hosken non-provisional used by the

Examiner to reject independent claims 1 and 11 is not supported by the Hosken

provisional. Specifically, the Examiner relied upon col. 11, line 65 - col. 12, line 12 and

FIGs. 4 and 5 of the Hosken non-provisional to reject independent claims 1 and 11. The

cited text, FIG. 4, and FIG. 5 are not supported by the Hosken provisional or even

included in the Hosken provisional. Therefore, the rejections based on at least these

sections of the Hosken non-provisional are not proper.

Furthermore, the method for collaborative filtering described in the Hosken

provisional is significantly different than the method claimed in Applicants' independent

claims 1 and 11. In the Hosken provisional, items in the favorites input table for a user

are accessed and converted into a vector which contains the item and the user's rating for

that item. (Hosken provisional, p. 10, lines 8-10)(referred to herein as "recommending

user" for ease of discussion). A cluster table which contains a finite number of vectors

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that represent predefined clusters of users is then accessed. (Hosken, provisional, p. 10,

lines 13-14). A single user can be included in multiple predefined clusters. (Hosken

provisional, p. 11, line 3).

For each cluster in the cluster table, the correlation between the cluster and the

recommending user's vector is determined. (Hosken provisional, p. 10, lines 17-18). For

clusters which correlate well with the recommending user's vector, each user profile in

the cluster is then correlated with the recommending user profile. (Hosken provisional,

p. 11, lines 10-14). For each correlation meeting a correlation threshold, indicating

similar tastes, the cluster user profile and recommending user profile are compared,

identifying any items contained in the cluster user profile that were not present in the

recommending user profile. (Hosken provisional, p. 11, lines 15-17). The identified

items are then weighted to determine whether the item should be included as a

recommendation to the recommending user. (Hosken provisional, p. 11, lines 17-23).

Thus, the Hosken provisional does not teach or suggest, a method of preparing a

recommendation to be accessed by a user comprising:

> providing a sparse ratings matrix;
> forming a plurality of data structures representing said sparse
> ratings matrix;
> forming a runtime recommendation model from said plurality
> of data structures;
> determining a recommendation from said runtime
> recommendation model in response to a request from a user;

as recited in independent claim 1. Furthermore, the Hosken provisional does not teach or

suggest, a method of preparing a recommendation to be accessed by a user comprising:

> providing a sparse ratings matrix;
> providing an update ratings data structure;

forming a plurality of data structures representing said sparse
ratings matrix;

forming a runtime recommendation model from said plurality
of data structures and update ratings data structure;

determining a recommendation from said runtime
recommendation model in response to a request from a user;

as recited in independent claim 11.

For at least the foregoing reasons, Applicants' independent claims 1 and 11 are

patentable over the Hosken provisional. Claims 2-8 depend from claim 1 and claims 12-

18 are dependent from claim 11. For at least the above reasons, and further in view of

their own features, claims 2-8 and 12-18 are patentable over the Hosken provisional.

Reconsideration and withdrawal of this rejection is therefore respectfully requested.

Applicants' further submit that new claims 36-41 are patentable over the Hosken

provisional in as much as none of these claims is anticipated by the Hosken provisional.

Although the above remarks are based solely upon the Hosken provisional,

Applicants reserve the right to submit arguments related to the patentability of

Applicants' claims over the Hosken non-provisional.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed,

accommodated, or rendered moot. Applicants therefore respectfully request that the

Examiner reconsider all presently outstanding objections and rejections and that they be

withdrawn. Applicants believe that a full and complete reply has been made to the

outstanding Office Action and, as such, the present application is in condition for

allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the

undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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